

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)	
)	NO. CR-06-2024-LRS-1
Plaintiff,)	
)	ORDER GRANTING MOTION TO
v.)	REOPEN DETENTION (Ct Rec.
)	26) AND ORDER DENYING ORAL
NOEL CRUZ,)	MOTION FOR RELEASE (Ct Rec.
)	38)
Defendant.)	

On April 4, 2006, this court held a bail review hearing. Shawn Anderson, Esq., appeared for the government. Defendant was present with counsel Alex B. Hernandez, III, Esq.

The defendant moved to reopen detention. The Court granted defendant's motion (**Ct. Rec. 26**).

The government made a motion for reconsideration of the release order filed March 26, 2006 (Ct. Rec. 31) and a motion to expedite hearing. Those motions are moot as that order was vacated. (**Ct. Rec. 34 and Ct. Rec. 32**)

Counsel for the defendant **orally** moved for the defendant's release stating there are conditions which would assure defendant's appearance as required and community safety.

The Government proffered the pretrial service report and concurred with the recommendation for continued detention.

ORDER GRANTING MOTION TO
REOPEN DETENTION HEARING
AND ORDER DENYING RELEASE - 1

1 The Court found there remains an absence of condition or
2 conditions that could be imposed that would reasonably assure this
3 defendant's presence at trial and further, that the evidence is
4 clear and convincing that there are no conditions that could be
5 imposed which would protect community safety.

6 The Court **denied** defendant's oral motion for release
7 (**Ct Rec.38**). Defendant shall remain in custody.

8 **IT IS SO ORDERED.**

9 DATED this 4th day of April, 2006.

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12 s/ MICHAEL W. LEAVITT
United States Magistrate Judge
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